

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:06-cr-00173-MHT
)	
UNIQUE C. MUSKELLY)	
)	

United States' Motion for Downward Departure for Substantial Assistance

The United States moves this Court to reduce Defendant Unique C. Muskelly's sentence by one offense-level based on Muskelly's substantial assistance in this case. As grounds for this Motion, the United States notes:

1. Early in this case, Muskelly cooperated with the United States. On or about September 21, 2006, Muskelly provided useful information regarding a major figure in the Montgomery stolen-check community.

2. Later, Muskelly provided historical testimony to a Grand Jury in this District regarding this same person and her knowledge of this person's illegal activities. United States believes that Muskelly's testimony will be useful in returning an indictment against this person.

3. The United States submits that to the best of its knowledge Muskelly has been truthful with federal investigators. As part of the plea agreement, Muskelly has waived her right to appeal and/or collaterally attack the sentence imposed in this case. Therefore, United States asks this Court to depart one offense-level under Guidelines §

5K1.1 based upon Muskelly's substantial assistance.

Respectfully submitted this the 17th day of July, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Christopher Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, AL 36104
Phone: (334) 223-7280
Fax: (334) 223-7135
E-mail: christopher.a.snyder@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to C. Pate DeBardeleben.

/s/ Christopher Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney